



ADVOCATES  
FOR HIGHWAY  
& AUTO SAFETY

March 3, 2021

The Honorable Adam J. Taliaferro, Chair  
The Honorable Annette Chaparro, Vice Chair  
Assembly Law and Public Safety Committee  
New Jersey Legislature  
State House Annex  
Trenton, New Jersey 08608

Dear Chairperson Taliaferro and Vice Chairperson Chaparro:

Advocates for Highway and Auto Safety (Advocates), an alliance of consumer, safety, medical, public health and law enforcement groups, and insurance companies working together to pass highway and auto safety laws that prevent crashes, save lives, reduce injuries, and contain costs, urges you to support Assembly Bill (A.) 855, currently pending in your Committee, and Senate Bill (S.) 1602, currently pending in the Senate Budget and Appropriations Committee. These bills will improve safety on New Jersey roads by broadening the current prohibition on drivers' use of wireless communication devices while operating a motor vehicle to include viewing non-navigational video and content (A. 855) and by prohibiting device use while stopped in traffic (S. 1602). Considering the prevalence of distracted driving crashes, this legislation is critical, responsive and timely.

In 2019, 559 people were killed on New Jersey roads, and early estimates show that fatalities increased to 589 in 2020. Wireless communication device distraction, which includes manual, visual and cognitive components, is a serious issue contributing to crashes and deaths. According to the National Highway Traffic Safety Administration (NHTSA), the percentage of drivers visibly manipulating hand-held devices while driving increased by 250 percent between 2009 and 2016. The NHTSA survey, *National Telephone Survey on Distracted Driving Attitudes and Behaviors – 2015*, noted that twice as many respondents admitted to talking on a cell phone or texting when they were involved in a crash or a near crash in 2015 as compared to 2010. Additionally, a survey performed by Nationwide Insurance found four out of ten respondents claimed to have been hit or nearly hit due to a distracted driver. The Insurance Institute for Highway Safety (IIHS) released a roadside survey in 2019 that found manipulation of devices while driving is up 57 percent over the prior 2014 survey while handheld use decreased.<sup>i</sup> More can and should be done to eradicate driver distraction.

As wireless communication technology has developed from cellphones to smart phones and the range of electronic communication platforms has significantly broadened to include apps, cameras, social media, gaming, etc., laws curbing driver distraction must be updated to keep pace with the technology and ensuing distraction. A 2016 survey conducted by State Farm found that accessing the internet, reading and updating social media networks on a cell phone while driving more than doubled from 2009 to 2016, and about 10 percent of those surveyed in 2016 were also playing games on a cell phone while driving.<sup>ii</sup> A. 855 prohibits drivers from streaming videos and content while driving, such as watching movies, video conferencing, FaceTime and participating in Zoom meetings on camera, and will help prevent drivers from taking their eyes off the road and their mind off the task of driving.

Moreover, research performed by the AAA Foundation for Traffic Safety found that the use of devices while driving can result in mental distractions that can persist for up to 27 seconds after returning to the driving task.<sup>iii</sup> According to research on driver cognitive distraction compiled by IIHS,<sup>iv</sup> “researchers have found that brain activity associated with visual processing and attention is suppressed when drivers are cognitively distracted ([Bowyer et al., 2009](#); [Strayer et al., 2006](#); [Just et al., 2008](#)).” As a result, “cognitive distractions

can lead to so-called ‘inattention blindness’ in which drivers fail to comprehend or process information from objects in the roadway even when they are looking at them ([Strayer et al., 2003](#)).” Limitations on use while stopped in traffic (S.1602) and on certain device uses whether hand-held or hands free (A.855) are commonsense and necessary upgrades to the state’s distracted driving law.

Distracted driving not only results in crashes, deaths and injuries, but it also unnecessarily expends taxpayer dollars. Crashes in which at least one driver was identified as being distracted cost \$40 billion annually (NHTSA). Nationally, distracted driver crashes cost businesses \$8.2 billion in 2013 (Network of Employers for Traffic Safety, 2016). The annual economic costs of all crashes in New Jersey are over \$12.8 billion (NHTSA).

Each distracted driving death and serious injury is entirely preventable. Left in their wake are irrevocably changed lives of families and communities in New Jersey. We urge you to support A. 855 and S. 1602 to curb dangerous and deadly distracted driving.

Sincerely,



Catherine Chase  
President

cc: Assembly Law and Public Safety Committee Members

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<sup>i</sup> IIHS, *Driver cellphone interactions increase 57 percent*, January 24, 2019.

<sup>ii</sup> Texting While Driving Includes Growing Mobile Web Use, <https://www.statefarm.com/simple-insights/auto-and-vehicles/distracted-driving-includes-growing-mobile-web-use>.

<sup>iii</sup> AAA Newsroom, *New Hands-free Technologies Pose Hidden Dangers for Drivers*, October 22, 2015.

<sup>iv</sup> IIHS HLDI, Topics, Distracted Driving, available here: <https://www.iihs.org/topics/distracted-driving>.